

REMARKS

Claims 1-19 are pending in the application and stand subject to a restriction requirement. Applicants respectfully disagree, and protest that the Examiner has made no showing whatsoever of the reasons why the alleged species are patentably distinct. The Examiner is respectfully invited to peruse Chapter 800 of the MPEP, and especially section 806 thereof, and to either make her reasons for demanding restriction of record or else to withdraw this requirement. Applicants respectfully note that the Examiner's bland allegation that the "species are independent or distinct because each of the various disclosed species details a mutual exclusive characteristic of:" claims 1 and 11 is not only baseless but nearly senseless. What *disclosed* species? What exactly is a "mutual exclusive characteristic"? Which characteristics exactly, in each of claims 1 and 11, are mutually exclusive? Why are they mutually exclusive? What exactly does mutual exclusivity have to do with the requirements of 35 USC 121? Is the Examiner implying (she is certainly not clearly so stating) that "mutually exclusive characteristics" are an indication of independent and distinct inventions (see, *e.g.*, MPEP §802.1)? If so, why? What support does the Examiner have for this view?

Applicants respectfully traverse this restriction requirement as improper in view of the code and rules, and request the Examiner to withdraw this requirement. Pursuant to 37 C.F.R. 1.143, Applicants hereby provisionally elect claims 11-19 for examination on the merits.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

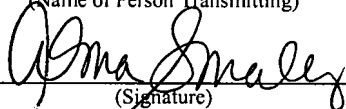
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(Date of Transmission)

Alma Smalling

(Name of Person Transmitting)

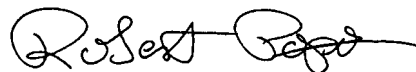


(Signature)

5/15/07

(Date)

Respectfully submitted,



Robert Popa

Attorney for Applicants

Reg. No. 43,010

LADAS & PARRY

5670 Wilshire Boulevard, Suite 2100

Los Angeles, California 90036

(323) 934-2300 voice

(323) 934-0202 facsimile

rpopa@ladasparry.com